

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:24CR79 HEA
)	
RODNEY PATTERSON,)	
)	
Defendant.)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation of Magistrate Judge Stephen R. Welby as to Defendant’s Motion to Dismiss the Indictment, [Doc. No. 42], Judge Welby correctly concludes that the Eighth Circuit opinion in *United States v. Jackson*, 110 F.4th 1120 (8th Cir. 2024) forecloses defendant’s argument that 18 U.S.C. § 922(g)(1) violates his Second Amendment rights because he is part of “the people” the Second Amendment protects.

Defendant filed an objection to Judge Welby’s recommendation to deny his motion. Defendant, however, recognizes the application of *Jackson* to his claim. He filed his motion and objection to the Report and Recommendation to preserve his Second Amendment claim.

The Court has conducted a *de novo* review of those portions of the Reports and Recommendations to which Defendant objects. See 28 U.S.C. 636(b)(1)(A). The Court has fully considered the briefs filed on the original motions as well as


the objection. The Court has independently researched the controlling law.

Defendant's objection is overruled. The Court adopts Judge Welby's thorough and well-reasoned Reports and Recommendations *in toto*.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Dismiss the Indictment, [Doc. No. 42], is **DENIED**.

Dated this 21st day of May, 2025.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE